REMARKS

Applicants herein amend the claims and request reconsideration of the newly amended claims in light of the comments below. Claims 1,4 and 5 have been amended in order to more clearly define and point out that which the inventors regard as their invention. None of the foregoing amendments add substantive matter to the original specification, and are requested mainly for purposes of distinguishing the applicants' invention from the cited prior art.

REJECTION UNDER 35 U.S.C. §112

The Examiner rejected claims 4 and 5 for containing new subject matter that was not supported by the specification. Per the Examiner's suggestion, claim 4 has been amended to change the rejected phrase "the acrylic polymer comprises about 0.6% to about 2.5% by weight" to "the acrylic resin comprises about 0.6% to about 2.5% by weight". Similarly, claim 5 has been amended to change the rejected phrase "the acrylic polymer comprises about 1.3% to about 1.8% by weight" to "the acrylic resin comprises about 1.3% to about 1.8% by weight". The presently claimed ranges for the amount of acrylic resin are well supported in the specification on page 2 lines 24-30.

REJECTION UNDER 35 U.S.C. §103(a)

In the Office Action dated June 25, 2002, the Examiner rejected Claims 1-5 under 35 U.S.C. §103(a) as being obvious in view of Lohr, et al (U.S. Pat. No. 4.,347,333) in view of both Varga et al., (U.S. Pat. No. 4,497,919) and Roberts (U.S. Pat. No. 4,959,113). The Examiner asserted that Lohr teaches a cleaning composition with a silicone fluid, at least one surfactant, a hydrocarbon solvent, an acrylic polymer, water, a wax and other conventional additives including preservatives and perfumes. Although Lohr does not teach the use of an alkanol solvent or the use of titanium dioxide as an abrasive, the Examiner argued that based on the teachings of Varga it would have been obvious to add an alkanol solvent and based on the teachings of Roberts it would have been obvious to include titanium dioxide as a surfactant in applicants' composition.

The present invention is distinguishable over the prior art for the following reasons. First, applicants' invention contains an alkanol solvent and neither Lohr nor Varga teach the use

of an alkanol solvent in a polishing composition. Despite the Examiner's assertion, Varga only teaches the use of hydrocarbon solvents with kauri-butanol values above 50, not alkanol solvents, in Col. 6 lines 21-28. Secondly, Lohr teaches the use of an acrylic polymer, but not specifically an acrylic polymer resin according to applicants' invention. As stated in the specification, the use of an acrylic polymer resin is important to achieve the excellent gloss and the long lasting film that are critical to applicant's invention. Thirdly, the currently amended claims further distinguish applicants' invention from Lohr's invention because applicant's cleaning composition does not contain wax and Lohr's composition requires a wax.

The analysis of obviousness was set forth in *Graham v. John Deere*, 383 U.S. 1, 148 USPQ 459 (1966). In order to establish a *prima facie* case of obviousness, three basic criteria must be met: First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to *modify* the reference or to *combine* the teachings of the references. Second, there must be a reasonable *expectation* of success. Finally, the prior art reference or combined references must teach or suggest *all* the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure (*In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991; emphasis added).

Since none of the prior art references either alone or in combination teach the use of an acrylic polymer resin or an alkanol solvent in a polishing composition that is substantially free from wax, the present invention should be considered unobvious over the prior art. Since the present invention is not obvious in view of Lohr, Varga, and Roberts, the rejection under 35 U.S.C. §103 should be withdrawn. Withdrawal of this rejection and reconsideration of the pending claims as amended herein is therefore respectfully requested.

CONCLUSION

Applicants assert that the claims as herein amended are novel and neither anticipated nor obvious in view the cited art. Favorable consideration is therefore respectfully requested.

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Respectfully submitted,

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